

1 **SHANNON TAITANO, ESQ.**  
2 **OFFICE OF THE GOVERNOR OF GUAM**  
3 Ricardo J. Bordallo Governor's Complex  
4 Adelup, Guam 96910  
5 Telephone: (671) 472-8931  
6 Facsimile: (671) 477-6666

7 **EDUARDO A. CALVO, ESQ.**  
8 **KATHLEEN V. FISHER, ESQ.**  
9 **RODNEY J. JACOB, ESQ.**  
10 **DANIEL M. BENJAMIN, ESQ.**  
11 **CALVO & CLARK, LLP**

12 Attorneys at Law  
13 655 South Marine Corps Drive, Suite 202  
14 Tamuning, Guam 96913  
15 Telephone: (671) 646-9355  
16 Facsimile: (671) 646-9403

17 *Attorneys for the Government of Guam*  
18 *and Felix P. Camacho, Governor of Guam*

19 **RAWLEN M.T. MANTANONA, ESQ.**  
20 **RAYMOND L. SOUZA, JR., ESQ.**  
21 **CABOT MANTANONA LLP**

22 BankPacific Building, 2<sup>nd</sup> Floor  
23 825 S. Marine Corps Drive  
24 Telephone: (671) 646-2001  
25 Facsimile: (671) 646-0777  
26 Attorneys for Respondents *Lourdes M. Perez and Artemio B. Ilagan*

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF GUAM

JULIE BABAUTA SANTOS, et. al.,  
Petitioners,

-v-

FELIX P. CAMACHO, etc., et. al.  
Respondents.

CIVIL CASE NO. 04-00006  
(Consolidated with Civil Case Nos.  
04-00038 and 04-00049)

**PARTIAL NON-OPPOSITION AND  
PARTIAL OPPOSITION BY THE  
GOVERNOR, GOVERNMENT, AND  
DIRECTORS OF DOA AND DRT TO  
OBJECTORS' REQUEST TO AMEND  
THEIR PROPOSED FINDINGS OF  
FACT AND CONCLUSION OF LAW**

**FILED**  
**DISTRICT COURT OF GUAM**

OCT 29 2007 *mcc*

**JEANNE G. QUINATA**  
**Clerk of Court**

1 The Governor of Guam Felix P. Camacho, the Government of Guam, and the Directors of  
2 the Department of Administration and Revenue & Taxation (collectively, the "Government")  
3 hereby file this limited opposition and limited non-opposition to Objectors' motion to amend their  
4 proposed findings of fact and conclusions of law.

5 The basis for Objectors' request is that Mr. Camacho's declaration as to when claims were  
6 filed occurred on the day of the filing of proposed findings of fact and conclusions of law. As Mr.  
7 Camacho stated in his declaration, DRT was resolving an inconsistency in the data, which had  
8 caused a delay in the declaration's filing. *If the Court finds it of assistance*, the Government has  
9 no opposition to Objectors submitting a proposed finding and/or conclusion of law *regarding this*  
10 *single point*. However, the Government does oppose any effort by Objectors to revise or amend  
11 their *entire* proposed findings of fact and conclusions of law, as this might be used as yet another  
12 chance at re-briefing issues (which the Government believes has been a pattern with Objectors).

13 Additionally, the Government does oppose Objector's misleading claim in their present  
14 motion that the response rate to the class action notice was only 5%. As Objectors know, the rate  
15 here was at least 48.8% (a very high rate under the case law that has been cited). Objectors  
16 should not be allowed to mislead the Court by suggesting the rate was only 5% simply because  
17 most claims in this case were already on file pursuant to the Executive Order before the class  
18 action notice was ever published. A high claims filing rate of nearly 50% is still a high claims  
19 filing rate, whether it is the result of the notice or Executive Order, and the notice procedure  
20 cannot be viewed negatively simply because the prior success of the Executive Order limited the  
21 amount of additional claims that would realistically be filed once notice was published.

22 Dated this 29th day of October, 2007.

23 **OFFICE OF THE GOVERNOR OF GUAM**  
24 **CALVO & CLARK, LLP**  
25 Attorneys for Respondents Felix P. Camacho,  
Governor of Guam and the Government of Guam

26 By: \_\_\_\_\_

**DANIEL M. BENJAMIN**

**CABOT MANTANONA LLP**  
Attorneys for Respondents Lourdes M.  
Perez and Artemio B. Ilagan

27 By: \_\_\_\_\_

**RAWLEN M.T. MANTANONA**